

PREVAILED

Roll Call No. \_\_\_\_\_

FAILED

Ayes \_\_\_\_\_

WITHDRAWN

Noes \_\_\_\_\_

RULED OUT OF ORDER

## HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that House Bill 1222 be amended to read as follows:

- 1 Page 4, line 3, delete "the imposition of any".
- 2 Page 4, line 4, delete "penalty that could be imposed for" and insert
- 3 **"liability resulting from an agency action relating to".**
- 4 Page 4, line 10, after "to" insert ":
- 5 **(i)".**
- 6 Page 4, line 11, after "rule;" insert **"and**
- 7 **(ii) remediate the effects, if any, of noncompliance;"**.
- 8 Page 4, line 17, delete "the imposition of a".
- 9 Page 4, line 18, delete "penalty that could be imposed for" and insert
- 10 **"liability relating to".**
- 11 Page 4, after line 27, begin a new paragraph and insert:
- 12 **"(e) Information provided by a small business, including**
- 13 **activities and documents that identify or describe the small**
- 14 **business, to an agency in providing notice of the small business's**
- 15 **actual or potential violation of a rule adopted by the agency is**
- 16 **confidential, unless a clear and immediate danger to the public**
- 17 **health, safety, welfare or environment exists. Information**
- 18 **described in this subsection may not be made available for use by**
- 19 **the agency for purposes other than the purposes of this section**
- 20 **without the consent of the small business.**
- 21 **(f) Voluntary notice of an actual or a potential violation of a rule**
- 22 **provided by a small business under subsection (c) is not admissible**
- 23 **as evidence in a proceeding, other than an agency proceeding, to**
- 24 **prove liability for the rule violation or the effects of the rule**
- 25 **violation."**

(Reference is to HB 1222 as printed February 15, 2005.)

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Representative Mays